Atty Dkt. No.: LIFE-009 USSN: 09/630,340

## **REMARKS**

Claims 11-18 have been examined and rejected, and now remain pending in this application.

In view of the following remarks, the Examiner is respectfully requested to withdraw the rejections and allow Claims 11-18.

## **Interview Summary**

On January 9, 2004, Susan Tall, the Applicants' representative, had a telephonic interview with the Examiner in which the Examiner notified Ms. Tall of the issuance of a new non-final grounds of rejection in response to the previously filed Notice of Appeal.

## Rejection under 35 U.S.C. §103

Claims 11, 12 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shartle (U.S. Patent No. 6,084,660). Claims 13, 15-18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shartle in view of Saunders et al. (U.S. Patent No. 5,674,699).

In view of the enclosed Declaration by the inventors demonstrating that the claimed invention was conceived and reduced to practice by the inventors prior to July 20, 1998, Applicants respectfully request that this rejection be withdrawn.

In view of the above remarks and the enclosed Declaration, this application is considered to be in good and proper form for allowance and the Examiner is respectfully requested to pass this application to issuance.

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The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, Order No. LIFE009.

Respectfully submitted, BOZICEVIC, FIELD & FRANCIS LLP

Date: 10/12/04

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